

## **EXHIBIT F**

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Conference

1 UNITED STATES DISTRICT COURT  
2 SOUTHERN DISTRICT OF NEW YORK  
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3 UNITED STATES OF AMERICA,

4 v.

13 CR 48 (JGK)

5 ROYCE CORLEY,

6 Defendant.  
-----x

7  
8 New York, N.Y.  
9 February 7, 2013  
3:40 p.m.

10 Before:

11 HON. JOHN G. KOELTL,

12 District Judge

13  
14 APPEARANCES

15 PREET BHARARA

16 United States Attorney for the  
Southern District of New York

17 TATIANA R. MARTINS

18 AMANDA KRAMER

Assistant United States Attorneys

19 FEDERAL DEFENDERS OF NEW YORK

Attorneys for Defendant

20 PHILIP L. WEINSTEIN

21  
22  
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25

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1 (In open court)

2 THE DEPUTY CLERK: *United States of America v. Royce*  
3 Corley.

4 Will all parties state who they are for the record.

5 MS. MARTINS: Tatiana Martins for the United States  
6 and with me is my colleague, AUSA Amanda Kramer. Good  
7 afternoon, your Honor.

8 MS. KRAMER: Good afternoon, your Honor.

9 THE COURT: Good afternoon.

10 MR. WEINSTEIN: Phil Weinstein, Federal Defenders, for  
11 Mr. Corley.

12 THE COURT: Good afternoon. I note that the defendant  
13 is present.

14 All right. Where are we?

15 MS. MARTINS: Your Honor. Mr. Corley was relocated  
16 from the State on January 29th, 2013. He was presented and  
17 arraigned on that day as a referral from your chambers, and so  
18 we're here today for the initial pretrial conference.

19 THE COURT: Okay. Tell me about the case, please.

20 MS. MARTINS: Your Honor, this is a two-count  
21 indictment against Mr. Corley for sex trafficking of a minor in  
22 violation of Section 1591(a) and (b)(2).

23 THE COURT: Yes?

24 MS. MARTINS: And he faces, pursuant to those charges,  
25 a statutory minimum of ten years.

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1                   THE COURT: Have you begun to make discovery?

2                   MS. MARTINS: Your Honor, the government has made some  
3 preliminary discovery and we are in the process of working with  
4 the DA's office in Manhattan who originally had this case to  
5 gather-- it's a significant volume of discovery. There are  
6 bank records, visa records, computer records from both  
7 Mr. Corley's work and home. There are also several types of  
8 media that were seized in connection with a search warrant that  
9 contained many, many pictures and other types of files. So we  
10 are in the process of gathering that.

11                  The government is also considering -- or  
12 investigating, I should say, whether we may supersede the  
13 indictment with a child pornography count or counts. So that's  
14 where we are.

15                  THE COURT: Are there any charges that remain pending  
16 in the state?

17                  MS. MARTINS: No, your Honor. My understanding is the  
18 state has dismissed their case once Mr. Corley was indicted  
19 federally.

20                  THE COURT: Okay. Are there any statements?

21                  MS. MARTINS: The government's understanding is  
22 Mr. Corley has not made any statements in connection with this  
23 case.

24                  THE COURT: I'm not quite sure if that was  
25 deliberately couched or not.

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1 MS. MARTINS: No, your Honor. I haven't had a chance  
2 to review all of the materials, obviously, because they're with  
3 the state and there was a significant amount of investigation  
4 before we took the case. So my understanding from the ADA is  
5 that there are no statements.

6 THE COURT: Okay. I mean, obviously if there are  
7 statements that are covered by the rules, you'll turn them  
8 over.

9 MS. MARTINS: Of course.

10 THE COURT: And how much time do you need to complete  
11 discovery?

12 MS. MARTINS: Your Honor, we'd like one month.

13 THE COURT: Okay.

14 MS. MARTINS: In addition, your Honor, I just wanted  
15 to mention that we've been in discussions starting today with  
16 Mr. Weinstein about how to produce some of the files which  
17 contained pornographic materials as well as potentially child  
18 pornography. So we're in discussions about how to make those  
19 files available to the defendant in a way that obviously  
20 satisfies all of the rules of the MDC and the MCC.

21 THE COURT: Okay. Mr. Weinstein, is there anything  
22 you'd like to tell me?

23 MR. WEINSTEIN: Just a couple of short things. Number  
24 one, at least my understanding is there was probably a lineup  
25 in this case. I'm not positive, but I think one of the alleged

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1       victims may have made a proporial identification.

2           Second, the complication that the government just  
3        mentioned, and a possible solution which we'll need the Court's  
4        assistance on, and this is being done by Judge Gardephe in the  
5        Valley case, is that-- and the government is looking into this.  
6        So that the government would supply-- some of the material  
7        would be considered contraband if it was in prison, especially  
8        sexually explicit images.

9           So what they did in that case is the government  
10       supplied a laptop which had no ability to e-mail or use the  
11       internet. They then loaded the material on, they are inspected  
12       by the marshals and the BOP, and then the defendant was  
13       permitted in a restricted area to review it.

14           So assuming the government will check that out with  
15       the prosecutors in that case and there have been no problems  
16       with that, we might ask the Court for an order for similar  
17       access.

18           THE COURT: Okay. It sounds as though one month for  
19       discovery seems reasonable. I would normally set this down  
20       then for another conference a reasonable period of time after  
21       the defense has had an opportunity to review that discovery and  
22       to determine what motions, if any, the defense intends to make.

23           That would probably -- depending upon how much time  
24       you think, Mr. Weinstein. A month? Six weeks?

25           MR. WEINSTEIN: I would assume from the time we get

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1 it, yes, I think that would be about right. As I said, the  
2 only complicating factor is getting BOP on board so that  
3 Mr. Corley can review the material. And I don't know what the  
4 volume is either. I don't know in terms of the number of  
5 documents plus images and all the rest, but I think at least  
6 for conference purposes, that would be fine.

7 THE COURT: How about Tuesday, April 23rd at 4:30  
8 p.m.? Is that satisfactory for both sides?

9 MS. MARTINS: That's fine for the government, your  
10 Honor.

11 MR. WEINSTEIN: That's fine, your Honor.

12 THE COURT: Okay. Another conference April 23, 4:30  
13 p.m. I will exclude prospectively the time from today until  
14 April 23rd from speedy trial calculations. The continuance is  
15 designed to assure effective assistance of counsel; it's  
16 designed to allow the government to complete discovery and the  
17 defense to review it; and to determine what motions, if any,  
18 the defense intends to make.

19 The Court finds that the ends of justice served by  
20 ordering the continuance outweigh the best interests of the  
21 defendant and the public in a speedy trial. This order of  
22 exclusion is made pursuant to 18 U.S.C. Section 3151(h)(7)(A).

23 Is there any time off the speedy trial clock? I had  
24 excluded time until today-- or, rather, I'm sorry --

25 MS. MARTINS: The magistrate judge did exclude time

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1 until today, your Honor.

2 THE COURT: So no time off the speedy trial?

3 MS. MARTINS: No time.

4 THE COURT: You agree with that, Mr. Weinstein?

5 MR. WEINSTEIN: Yes, that's correct.

6 THE COURT: Okay. Anything else?

7 MR. WEINSTEIN: Your Honor, so assuming the government  
8 is comfortable with the procedure I had mentioned to the Court  
9 previously, Judge Gardephe just did it on the transcript,  
10 although we could submit a joint order to the Court. It's your  
11 preference. Then we would then send it to the BOP and the  
12 marshals.

13 THE COURT: If the transcript is satisfactory for the  
14 BOP and the marshals, and the parties agree with it after  
15 checking with-- is it the MCC?

16 MR. WEINSTEIN: MDC.

17 THE COURT: -- after checking with the MDC, that's  
18 fine with me. And the transcript can act as the order of the  
19 Court unless the BOP or the marshals need a separate order.

20 MR. WEINSTEIN: So assuming it's-- just so the  
21 transcript is clear, if this is what we're submitting, that the  
22 Court is -- assuming the parties agree to this, we can then  
23 submit it to the BOP and to the marshals.

24 THE COURT: Right.

25 MR. WEINSTEIN: Okay.

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1                   THE COURT: To allow an agreed-upon computer that will  
2 go to the MDC, where the MDC will make an arrangement available  
3 that the defendant can view that computer at a secure location  
4 at the MDC. So it requires that the Bureau of Prisons agree on  
5 that; that they have a place to let the defendant see it; and  
6 that whatever procedures the BOP has to get the computer into  
7 the prison, put it in the room and let the defendant see it,  
8 that's certainly agreeable to the Court. And if the BOP needs  
9 an order saying go forward, this transcript can act as that  
10 order.

11                  MR. WEINSTEIN: Thank you.

12                  MS. MARTINS: And, your Honor, the government will let  
13 Mr. Weinstein know if there are any objections by Monday.

14                  THE COURT: That's fine.

15                  MR. WEINSTEIN: That's fine. Thank you, your Honor.

16                  THE COURT: Okay. Anything else?

17                  MR. WEINSTEIN: Not from the defense.

18                  MS. MARTINS: Not from the government. Thank you.

19                  THE COURT: Very well. Nice to see you all.

20                  (Adjourned)

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